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ASMEX.333A

CUSTOMER NO.: 20995

**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321**

Applicant : Todd et al.  
 Appl. No. : 10/074,564  
 Filed : February 11, 2002  
 For : THIN FILMS AND METHODS  
 OF MAKING THEM  
 Examiner : Brook Kebede  
 Group Art Unit : 2823

**CERTIFICATE OF FAX TRANSMISSION**  
**PTO CENTRALIZED FAX**

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 (703) 872-9306 on the date shown below:

March 22, 2005

(Date)

Joseph J. Mallon  
 Joseph J. Mallon, Reg. No. 39,287

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Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

***Empowerment of Attorney***

Pursuant to 37 C.F.R. § 1.321(b) the undersigned attorney of record is empowered to act on behalf of the Assignee, ASM America, Inc. ("Assignee"), by virtue of a Power of Attorney executed on June 13, 2002, a copy of which is attached.

***Right of Assignee and Ownership***

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of a 100 percent interest in the above-identified application and co-owned, U.S. Patent No. 6,821,825. The chain of title of the present application from the inventors to the Assignee is set forth in the Power of Attorney referred to above. The assignment of U.S. Patent No. 6,821,825 is recorded at Reel No. 012908, Frame No. 0604 by the Assignment Branch of the Patent and Trademark Office. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

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-1-

PAGE 16/22 \* RCVD AT 3/22/2005 6:22:12 PM (Eastern Standard Time) \* SVR:USPTO-EFAX-1/1 \* DNS:8729306 \* CSID:16192350176 \* DURATION (mm-ss):06-28

Appl. No. : 10/074,564  
Filed : February 11, 2002

distinguish those claims from Yamazaki and Toraguchi. Therefore, Applicants respectfully request reconsideration and withdrawal of this rejection.

**Conclusion**

Applicants respectfully submit that this application is in condition for allowance, early notification of which would be appreciated. The Office is respectfully invited to contact the undersigned at the telephone number provided below with any questions regarding this application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 3/22/05

By: Joseph J. Mallon  
Joseph J. Mallon  
Registration No. 39,287  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

1432016\_1.032105

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

10/074564

## CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	minus 20 =	*
INDEPENDENT CLAIMS	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

\* If the difference in column 1 is less than zero, enter "0" in column 2

## 322-05 CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	* 65	Minus ** 76	=
Independent	* 14	Minus *** 14	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	150.00
X\$ 25=	
X100=	
+180=	
TOTAL	

RATE	FEE
BASIC FEE	300.00
X\$50=	
X200=	
+360=	
TOTAL	

SMALL ENTITY

OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$50=	
X200=	
+360=	
TOTAL ADDIT. FEE	

(Column 1)

(Column 2)

(Column 3)

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$50=	
X200=	
+360=	
TOTAL ADDIT. FEE	

(Column 1)

(Column 2)

(Column 3)

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	

RATE	ADDITIONAL FEE
X\$50=	
X200=	
+360=	

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